

1                                   **STATE OF IOWA**  
2                                   **BOARD OF EDUCATIONAL EXAMINERS**  
3                           **Grimes State Office Building – 400 East 14<sup>th</sup> Street**  
4                                   **Des Moines, Iowa 50319-0147**

5  
6                                   **Minutes**  
7                                   **January 11, 2018**  
8

9   The Board of Educational Examiners (Board or BoEE) held its monthly meeting  
10 on January 11, 2018. Due to inclement weather, several board members attended the  
11 meeting telephonically. Members attending were Mary K. Overholtzer, Dr. Jay Prescott  
12 (left at 1:45 p.m.), Katherine Schmidt, Dr. Tony Voss and Sara Yedlik. Members  
13 attending telephonically were Kathy Behrens, Dr. Linda Carroll, Dan Dutcher, David  
14 Schipper, Erin Schoening and Dr. Anne Sullivan. Also in attendance was Dr. Ann  
15 Lebo, Executive Director, Darcy Hathaway, Attorney/Investigator, Jim McNellis,  
16 Investigator and Allison Schmidt, Assistant Attorney General. Dr. Larry Hill was  
17 unable to attend.  
18

19 Since Anne Sullivan, Board Chair, was attending telephonically and Larry Hill, Vice  
20 Chair, was unable to attend, Anne Sullivan moved, with a second by Jay Prescott, that  
21 Executive Director, Dr. Ann Lebo, chair the meeting. **MOTION CARRIED**  
22 **UNANIMOUSLY.**  
23

24 Tony Voss moved, with a second by Sara Yedlik to approve the agenda. **MOTION**  
25 **CARRIED UNANIMOUSLY.**  
26

27 Katherine Schmidt moved, with a second by Tony Voss, to approve the consent  
28 agenda. **MOTION CARRIED UNANIMOUSLY.**  
29

30 Sara Yedlik moved, with a second by Jay Prescott, that the Board go into closed  
31 session for the purpose of discussing whether to initiate licensee disciplinary  
32 proceedings and the decision to be rendered in a contested case, pursuant to Iowa  
33 Code sections 21.5(d) and (f). Roll call vote: Behrens – yes; Carroll – yes; Dutcher –

1 yes; Overholtzer – yes; Prescott – yes; Schipper – yes; Schmidt – yes; Schoening – yes;  
2 Sullivan – yes; Voss – yes; Yedlik - yes. **MOTION CARRIED UNANIMOUSLY.**

3  
4 Tony Voss moved, with a second by Jay Prescott that in **case number 17-155**, the  
5 Board find probable cause to establish a violation of the following provisions of the  
6 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(5)(a)(3), and order this  
7 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

8  
9 Jay Prescott moved, with a second by Tony Voss that in **case number 17-147**, the  
10 Board find probable cause to establish a violation of the following provisions of the  
11 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(5)(a)(3), and order this  
12 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

13  
14 Jay Prescott moved, with a second by Sara Yedlik that in **case number 17-133**, the  
15 Board find probable cause to establish a violation of the following provisions of the  
16 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(3)(e), and order this case  
17 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

18  
19 Tony Voss moved, with a second by Sara Yedlik that in **case number 17-137**, the  
20 Board find that the evidence gathered in the investigation, including witness  
21 statements and the documentary evidence, does not substantiate the allegations in the  
22 complaint, and that the Board therefore lacks probable cause to proceed with this  
23 matter. **MOTION CARRIED UNANIMOUSLY.**

24  
25 Sara Yedlik moved, with a second by Jay Prescott that in **case number 17-35**, the  
26 Board find probable cause to establish a violation of the following provisions of the  
27 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(1)(b)(1) and 25.3(1)(e)(4),  
28 and order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

29  
30 Jay Prescott moved, with a second by Sara Yedlik that in **case number 17-114**, the  
31 Board find that, although one or more of the allegations in the complaint may be  
32 substantiated by the witnesses interviewed in the course of the investigation [and/or]  
33 the documents gathered in the course of the investigation, and the allegations may

1 constitute a technical violation of the board's statute or administrative rules; the  
2 evidence before the board indicates that the alleged violation was an isolated incident.  
3 The Board will not pursue formal disciplinary action in this matter. Roll call vote:  
4 Behrens – no; Carroll – yes; Dutcher – yes; Overholtzer – no; Prescott – yes; Schipper –  
5 yes; Schmidt – no; Schoening – yes; Sullivan – no; Voss – yes; Yedlik - yes. **MOTION**  
6 **CARRIED.** (Dr. Lebo left the room during the discussion of this case in closed  
7 session.)  
8

9 Tony Voss moved, with a second by Sara Yedlik that in **case number 17-128**, the  
10 Board find that the evidence gathered in the investigation, including witness  
11 statements and the documentary evidence, does not substantiate the allegations in the  
12 complaint, and that the Board therefore lacks probable cause to proceed with this  
13 matter. Roll call vote: Behrens – yes; Carroll – yes; Dutcher – yes; Overholtzer – no;  
14 Prescott – yes; Schipper – yes; Schmidt – yes; Schoening – yes; Sullivan – yes; Voss –  
15 yes; Yedlik - yes. **MOTION CARRIED.**  
16

17 Jay Prescott moved, with a second by Tony Voss that in **case number 17-134**, the  
18 Board find probable cause to establish a violation of the following provisions of the  
19 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(2)(b), and order this case  
20 set for hearing. **MOTION CARRIED UNANIMOUSLY.**  
21

22 Tony Voss moved, with a second by Sara Yedlik that in **case number 17-148**, the  
23 Board find probable cause to establish a violation of the following provisions of the  
24 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(4)(b) and (e), and order  
25 this case set for hearing. Roll call vote: Behrens – yes; Carroll – yes; Dutcher – yes;  
26 Overholtzer – yes; Prescott – yes; Schipper – yes; Schmidt – yes; Schoening – yes;  
27 Sullivan – recused; Voss – yes; Yedlik - yes. **MOTION CARRIED.**  
28

29 Jay Prescott moved, with a second by Sara Yedlik that in **case number 17-149**, the  
30 Board find probable cause to establish a violation of the following provisions of the  
31 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(1)(e)(4), and order this  
32 case set for hearing. Roll call vote: Behrens – yes; Carroll – yes; Dutcher – yes;

1 Overholtzer – yes; Prescott – yes; Schipper – yes; Schmidt – yes; Schoening – yes;  
2 Sullivan – recused; Voss – yes; Yedlik - yes. **MOTION CARRIED.**

3  
4 Sara Yedlik moved, with a second by Tony Voss that in **case number 17-151**, the  
5 Board find probable cause to establish a violation of the following provisions of the  
6 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(2)(b), and order this case  
7 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

8  
9 Tony Voss moved, with a second by Jay Prescott that in **case number 17-124**, the  
10 Board find that, although one or more of the allegations in the complaint may be  
11 substantiated by the witnesses interviewed in the course of the investigation [and/or]  
12 the documents gathered in the course of the investigation, and the allegations may  
13 constitute a technical violation of the board’s statute or administrative rules; the  
14 evidence before the board indicates that the alleged violation was an isolated incident  
15 and adequate steps have been taken to remedy the violation and to ensure that  
16 incidents of a similar nature do not occur in the future. The Board will not pursue  
17 formal disciplinary action in this matter. **MOTION CARRIED UNANIMOUSLY.**

18  
19 Sara Yedlik moved, with a second by Jay Prescott that in **case number 17-79**, the  
20 Board find that, although one or more of the allegations in the complaint may be  
21 substantiated by the witnesses interviewed in the course of the investigation [and/or]  
22 the documents gathered in the course of the investigation, and the allegations may  
23 constitute a technical violation of the board’s statute or administrative rules; the  
24 evidence before the board indicates that adequate steps have been taken to remedy  
25 the violation and to ensure that incidents of a similar nature do not occur in the  
26 future. The Board will not pursue formal disciplinary action in this matter. Roll call  
27 vote: Behrens – yes; Carroll – yes; Dutcher – yes; Overholtzer – no; Prescott – yes;  
28 Schipper – no; Schmidt – yes; Schoening – yes; Sullivan – yes; Voss – yes; Yedlik - yes.  
29 **MOTION CARRIED.**

30  
31 Jay Prescott moved, with a second by Sara Yedlik that in **case number 17-80**, the  
32 Board find that, although one or more of the allegations in the complaint may be  
33 substantiated by the witnesses interviewed in the course of the investigation [and/or]

1 the documents gathered in the course of the investigation, and the allegations may  
2 constitute a technical violation of the board's statute or administrative rules; the  
3 evidence before the board indicates that adequate steps have been taken to remedy  
4 the violation and to ensure that incidents of a similar nature do not occur in the  
5 future. The Board will not pursue formal disciplinary action in this matter. Roll call  
6 vote: Behrens – yes; Carroll – yes; Dutcher – yes; Overholtzer – no; Prescott – yes;  
7 Schipper – yes; Schmidt – yes; Schoening – yes; Sullivan – yes; Voss – yes; Yedlik - yes.

8 **MOTION CARRIED.**

9  
10 Sara Yedlik moved, with a second by Jay Prescott that in **case number 17-150**, the  
11 Board find probable cause to establish a violation of the following provisions of the  
12 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(1)(e)(4), and order this  
13 case set for hearing. Roll call vote: Behrens – yes; Carroll – yes; Dutcher – yes;  
14 Overholtzer – yes; Prescott – yes; Schipper – yes; Schmidt – yes; Schoening – yes;  
15 Sullivan – yes; Voss – recused; Yedlik - yes. **MOTION CARRIED.**

16  
17 Tony Voss moved, with a second by Sara Yedlik that in **case number 17-157**, the  
18 Board find probable cause to establish a violation of the following provisions of the  
19 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(2)(b), and order this case  
20 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

21  
22 Sara Yedlik moved, with a second by Tony Voss that in **case number 17-140**, the  
23 Board find probable cause to establish a violation of the following provisions of the  
24 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(1)(e)(4), and order this  
25 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

26  
27 Tony Voss moved, with a second by Jay Prescott that in **case number 17-158**, the  
28 Board find probable cause to establish a violation of the following provisions of the  
29 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(6)(d) and order this case  
30 set for hearing. **MOTION CARRIED UNANIMOUSLY.** (Darcy Hathaway left the room  
31 during the discussion of this case in closed session.)  
32

1 Tony Voss moved, with a second by Jay Prescott that in **case number 17-171**, the  
2 Board find that the evidence gathered in the investigation, including witness  
3 statements and the documentary evidence, does not substantiate the allegations in the  
4 complaint, and that the Board therefore lacks probable cause to proceed with this  
5 matter. **MOTION CARRIED UNANIMOUSLY.**

6  
7 Sara Yedlik moved, with a second by Tony Voss that in **case number 17-176**, the  
8 Board find that, although one or more of the allegations in the complaint may be  
9 substantiated by the witnesses interviewed in the course of the investigation [and/or]  
10 the documents gathered in the course of the investigation, and the allegations may  
11 constitute a technical violation of the board's statute or administrative rules; the  
12 evidence before the board indicates that adequate steps have been taken to remedy  
13 the violation and to ensure that incidents of a similar nature do not occur in the  
14 future. The Board will not pursue formal disciplinary action in this matter. Roll call  
15 vote: Behrens – yes; Carroll – yes; Dutcher – yes; Overholtzer – no; Prescott – yes;  
16 Schipper – yes; Schmidt – yes; Schoening – yes; Sullivan – yes; Voss – yes; Yedlik - yes.  
17 **MOTION CARRIED.**

18  
19 Jay Prescott moved, with a second by Tony Voss that in **case number 17-141**, the  
20 Board find that the evidence gathered in the investigation, including witness  
21 statements and the documentary evidence, does not substantiate the allegations in the  
22 complaint, and that the Board therefore lacks probable cause to proceed with this  
23 matter. **MOTION CARRIED UNANIMOUSLY.**

24  
25 Tony Voss moved, with a second by Jay Prescott that in **case number 17-107**, the  
26 Board find probable cause to establish a violation of the following provisions of the  
27 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(1)(e)(4), and order this  
28 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

29  
30 Tony Voss moved, with a second by Sara Yedlik, that the Board accept the  
31 respondent's waiver of hearing and voluntary surrender in **case number 17-188**, and  
32 that the Board issue an order permanently revoking the license with no possibility of  
33 reinstatement. **MOTION CARRIED UNANIMOUSLY.**

1 Jay Prescott moved, with a second by Sara Yedlik, that in **case number 17-49**, the  
2 Board accept the agreement submitted by the parties, and issue an Order  
3 incorporating the agreement of the parties. **MOTION CARRIED UNANIMOUSLY.**

5 Sara Yedlik moved, with a second by Jay Prescott, that in **case number 17-63**, the  
6 Board accept the agreement submitted by the parties, and issue an Order  
7 incorporating the agreement of the parties. **MOTION CARRIED UNANIMOUSLY.**

9 Jay Prescott moved, with a second by Sara Yedlik, that in **case number 17-32**, the  
10 Board accept the agreement submitted by the parties, and issue an Order  
11 incorporating the agreement of the parties. Roll call vote: Behrens – yes; Carroll – yes;  
12 Dutcher – yes; Overholtzer – yes; Prescott – yes; Schipper – yes; Schmidt – yes;  
13 Schoening – recused; Sullivan – yes; Voss – yes; Yedlik - yes. **MOTION CARRIED.**

15 Tony Voss moved, with a second by Sara Yedlik, that in **case number 16-88**, the  
16 Board accept the agreement submitted by the parties, and issue an Order  
17 incorporating the agreement of the parties. Roll call vote: Behrens – yes; Carroll – yes;  
18 Dutcher – yes; Overholtzer – yes; Prescott – yes; Schipper – yes; Schmidt – yes;  
19 Schoening – yes; Sullivan – recused; Voss – yes; Yedlik - yes. **MOTION CARRIED.**

21 Sara Yedlik moved, with a second by Jay Prescott, that the board approve the closed  
22 minutes for November 3, 2017 and December 6, 2017. **MOTION CARRIED**  
23 **UNANIMOUSLY.**

25 Communication from the Public

26 None.

28 Board Member Reports

29 None.

31 Legislative Update – Phil Wise

32 The legislative session for 2018 resumed on Monday, January 8. Mr. Wise mentioned  
33 that the chairs from the House and Senate Education Committees and the chairs of

1 the Education Appropriations Committees stopped by our legislative reception this  
2 morning. In terms of policy, it is going to be a fairly light session. The budget, itself,  
3 is what drives most of the discussion. There is a commitment from both the governor  
4 and the legislative leaders to deal with the issue of supplemental state aid within the  
5 statutory 30-day limit. The governor has recommended a 1.5% supplemental state aid  
6 increase.

7  
8 The BoEE has one proposed bill. HSB 562 SSB 3027 – This bill eliminates a provision  
9 that requires the expiration date of a license issued by the BoEE to be the last day of  
10 the license holder's birth month.

11  
12 Executive Director's Report – Dr. Lebo

13 Licensing System Update: Continuing to work on the RFP for a new licensing system.  
14 Potential new cost - \$600,000. We are working on the ability to transition through  
15 what the fiscal year would be so that we are not turning over in the middle of the year.  
16 In the meantime, we have to continue contracts to sustain our current three systems  
17 that we have to support until we get one that can do everything it is supposed to do.

18  
19 Financial Update: Dr. Lebo reviewed the financial report. We have the full-time  
20 clerical position back – one of the three that we lost. Sarah Robinson has been hired  
21 for this position. She is currently on maternity leave and will begin on March 7.

22  
23 Board Meeting and Retreat on June 14-15, 2018: Discussion of where to hold the  
24 meeting. Shall we remain in the metro area due to cost? Do we want to venture out?  
25 Dr. Lebo asked the board to think about some possible locations and let her know.  
26 Some possibilities: Grand View University (Jay Prescott to host); Waldorf University  
27 (Larry Hill to host). Dr. Lebo will talk with board staff to see if there are any initiatives  
28 that would be interesting and important for the board to see firsthand. Discussion  
29 regarding the location of the June meeting and retreat will continue at the February  
30 meeting.

31  
32 NASDTEC Ted Andrews Winter Symposium (TAWs): Dr. Lebo attended this  
33 conference in San Diego on January 3-5, 2018. The conference was very timely and



1 consistent with the same conversations we are having here. Specifically, shortage  
2 areas and how it can be addressed. Other topics: mentoring is the key to success and  
3 retention; attack attrition and you can save funds to build support systems. Dr. Lebo  
4 will share her notes and links regarding these topics as well as information from: The  
5 National Board for Professional Teaching Standards (National Board); Learning Policy  
6 Institute; National Commission on Teaching and America's Future; New Teacher  
7 Center and National Rural Education Association.

8  
9 Dr. Lebo informed the board that we have a BoEE online shop to order BoEE apparel  
10 (for BoEE staff and board members). It is open now and closes January 21. The link  
11 will be emailed board members to order if they are interested.

### 12 13 Rules

#### 14 Adopt:

15 Katherine Schmidt moved, with a second by Mary K. Overholtzer, to adopt the  
16 proposed changes to IAC 282 Chapter 13 – Mentoring requirement for standard  
17 license, computer science endorsement. **MOTION CARRIED UNANIMOUSLY.**

18  
19 Tony Voss moved, with a second by Mary K. Overholtzer, to notice the proposed  
20 changes to IAC 282 Chapters 13, 15, 16, 18, 21, 22, 27 – Code clean up. **MOTION**  
21 **CARRIED UNANIMOUSLY.**

#### 22 23 ARRC Review Pending

24 None.

#### 25 26 Notice:

27 None.

#### 28 29 Items for Discussion

30 IAC 282 Chapters 13, 18, 20, 27, eliminate some deficiencies, renewal credits.  
31 The proposed amendments eliminate coursework deficiencies for some out of state  
32 applicants, provide language for a new dance endorsement to align with fine arts

standards, and adjust the renewal requirements if the applicant holds a specialist's or doctor's degree.

Petitions for Waiver

Tony Voss moved, with a second by Katherine Schmidt, that in **PFW 17-07 Marijke Hodgson**, the Board grant the waiver. Roll call vote: Behrens – yes; Carroll – yes; Dutcher – yes; Overholtzer – yes; Prescott – yes; Schipper – yes; Schmidt – yes; Schoening – yes; Sullivan – yes; Voss – yes; Yedlik - recused. **MOTION CARRIED.**

Reasons for granting: Marijke Hodgson is requesting a waiver of the rule regarding the substitute authorization. See 282 IAC 22.2(272). Ms. Hodgson holds a Master of Accounting Degree and a Doctor of Veterinary Medicine degree from Iowa State University, but does not have a baccalaureate degree from a regionally accredited institution, as required by the substitute authorization rule. Based on the limited authority granted by the substitute authorization, as well as Ms. Hodgson's two advanced degrees from a regionally accredited institution, the Board finds it would create an undue hardship if it were to deny this request to waive the requirement of a bachelor's degree from a regionally accredited institution. The Board has previously granted a waiver request from a petitioner who did not have a baccalaureate degree but had a doctorate in Veterinary Science from a regionally accredited university (PFW 16-05). The Board is also currently considering a change to Iowa Administrative Code that would allow anyone with a baccalaureate degree *or higher* from a regionally accredited institution to receive a substitute authorization. In light of this precedent and potential future rule amendment, the Board found granting the waiver would not cause prejudice to the substantial legal rights of any person. The rule from which Ms. Hodgson seeks a waiver is not specifically mandated by statute or any other provision of law, and, accordingly, may be waived by the Board. The substitute authorization carries limited authority, as the holder cannot serve for extended periods of time in one assignment. The Board finds that Ms. Hodgson has presented clear and convincing evidence that waiving the rule in question to grant this authorization would not compromise public health, safety, or welfare. The Board concludes that the Petitioner, Marijke Hodgson, has met the criteria for granting of a waiver from the rules regarding the substitute authorization, contained in 282 IAC ch. 22.

1 Tony Voss moved, with a second by Sara Yedlik, that in **PFW 17-09 Ruth Horn**, the  
2 Board grant the waiver. **MOTION CARRIED UNANIMOUSLY.**

3 Reasons for granting: Ruth Horn is requesting a waiver of the rule regarding the  
4 substitute authorization. *See* 282 IAC 22.2(272). Ms. Horn holds an MBA degree from  
5 the University of Chicago, a regionally accredited institution, but does not have a  
6 baccalaureate degree from a regionally accredited institution, as required by the  
7 substitute authorization rule. Based on the limited authority granted by the  
8 substitute authorization, as well as Ms. Horn's advanced degree from a regionally  
9 accredited institution, the Board finds it would create an undue hardship if it were to  
10 deny this request to waive the requirement of a bachelor's degree from a regionally  
11 accredited institution. The Board has previously granted a waiver request from a  
12 petitioner who did not have a baccalaureate degree but had a doctorate in Veterinary  
13 Science from a regionally accredited university (PFW 16-05). The Board is also  
14 currently considering a change to Iowa Administrative Code that would allow anyone  
15 with a baccalaureate degree *or higher* from a regionally accredited institution to receive  
16 a substitute authorization. In light of this precedent and potential future rule  
17 amendment, the Board found granting the waiver would not cause prejudice to the  
18 substantial legal rights of any person. The substitute authorization carries limited  
19 authority, as the holder cannot serve for extended periods of time in one assignment.  
20 The Board finds that Ms. Horn has presented clear and convincing evidence that  
21 waiving the rule in question to grant this authorization would not compromise public  
22 health, safety, or welfare. The Board concludes that the Petitioner, Ruth Horn, has  
23 met the criteria for granting of a waiver from the rules regarding the substitute  
24 authorization, contained in 282 IAC ch. 22.

25  
26 Mary K. Overholtzer moved, with a second by Jay Prescott, that in **PFW 17-10 Marcus**  
27 **Fridley**, the Board grant the waiver in part. **MOTION CARRIED UNANIMOUSLY.**

28 Reasons for granting in part: Marcus Fridley is requesting a waiver of the rule  
29 regarding renewal of the coaching authorization. *See* 282 IAC 22.1(4)(272). Mr.  
30 Fridley holds a coaching authorization that will expire in September of 2018. Since  
31 Mr. Fridley first obtained his coaching authorization, the Board amended its  
32 administrative rules to require holders of the coaching authorization to possess a  
33 current CPR certification. Mr. Fridley uses a wheelchair due to cerebral palsy, and is

1 physically unable to perform CPR. To enforce the CPR certification requirement,  
2 Board staff verifies that each applicant has completed a CPR training with both a  
3 content component and a skills component. The Board finds that application of the  
4 skills component requirement would pose an undue hardship under the  
5 circumstances presented in the petition. The content requirement, however, can be  
6 completed online without physically performing CPR. The petition does not indicate  
7 this would present a problem for Mr. Fridley. The Board finds that waiver of the skills  
8 component of the CPR requirement would not prejudice the substantial legal rights of  
9 any person. The rule from which Mr. Fridley seeks a waiver is not specifically  
10 mandated by statute or any other provision of law, and, accordingly, may be waived by  
11 the Board. The Board finds that waiving the skills component of CPR certification  
12 while requiring verification of content knowledge will not compromise public health,  
13 safety, and welfare. Verification of content knowledge will ensure Mr. Fridley would be  
14 able to direct another person in performing CPR if a student athlete had a health  
15 emergency. The Board concludes that the Petitioner, Marcus Fridley, has met the  
16 criteria for granting of a partial waiver from the rule requiring CPR certification for  
17 coaching authorization renewal, contained in 282 IAC ch. 22. Board staff can assist  
18 Mr. Fridley in locating an online provider to verify CPR content knowledge.

19  
20 Mary K. Overholtzer moved, with a second by Tony Voss, that in **PFW 17-11 Ned**  
21 **Leffingwell**, the Board deny the waiver. **MOTION CARRIED UNANIMOUSLY.**

22 Reasons for denying: Ned Leffingwell is requesting a waiver of the rule regarding the  
23 social sciences endorsements. See 282 IAC 18.4(1)(272). Mr. Leffingwell is a licensed  
24 teacher in Louisiana. He is certified in and taught multiple social sciences in  
25 Louisiana, including dual credit courses. On June 28, 2017, Mr. Leffingwell was  
26 issued an Iowa Regional Exchange License with endorsements in 5-12 American  
27 History and 5-12 World History. He is requesting the board waive college credit  
28 requirements needed to obtain Iowa endorsements in additional social science areas,  
29 based on his experience and certification in Louisiana. The Board finds that  
30 application of the rule in this case does not constitute an undue hardship. Mr.  
31 Leffingwell is not required to hold a Board-issued license with the requested  
32 endorsements to teach dual-credit courses similar to those he taught in Louisiana.

1 The petition cites three past waiver petitions (06-16, 06-18, and 12-16) where the  
2 Board waived coursework based on applicant experience. However, in each of these  
3 petitions the Board waived a single course that was needed to obtain an additional  
4 endorsement. The Board would need waive many more hours of coursework in order  
5 to add any additional social science endorsements to Mr. Leffingwell's Regional  
6 Exchange License. This could result in prejudice to the substantial legal rights of  
7 others who have been denied endorsements based on a lack of completed coursework  
8 in the relevant subject area. The Board concludes that the Petitioner, Ned Leffingwell,  
9 has not met the criteria for granting of a waiver from the rule regarding social sciences  
10 endorsements, contained in 282 IAC ch. 13.

11  
12 Katherine Schmidt moved, with a second by Tony Voss, that in **PFW 17-12 Justin**  
13 **Putzier**, the Board grant the waiver in part. **MOTION CARRIED UNANIMOUSLY.**  
14 Reasons for granting in part: Justin Putzier is requesting a waiver of the rule  
15 regarding the coaching authorization. See 282 IAC 22.1(2)(272). Mr. Putzier has  
16 applied for a coaching authorization. The administrative rule regarding the coaching  
17 authorization requires a current CPR certification. Mr. Putzier uses a wheelchair due  
18 to cerebral palsy, and is physically unable to perform CPR. To enforce the CPR  
19 certification requirement, Board staff verifies that each applicant has completed a CPR  
20 training with both a content component and a skills component. The Board finds that  
21 application of the skills component requirement would pose an undue hardship under  
22 the circumstances presented in the petition. The content requirement, however, can be  
23 completed online without physically performing CPR. The petition does not indicate  
24 this would present a problem for Mr. Putzier. The Board finds that waiver of the skills  
25 component of the CPR requirement would not prejudice the substantial legal rights of  
26 any person. The Board finds that waiving the skills component of CPR certification  
27 while requiring verification of content knowledge will not compromise public health,  
28 safety, and welfare. Verification of content knowledge will ensure Mr. Putzier would be  
29 able to direct another person in performing CPR if a student athlete had a health  
30 emergency. Based upon all of the above considerations, the Board concludes that the  
31 Petitioner, Justin Putzier, has met the criteria for granting of a partial waiver from the  
32 rule requiring CPR certification for holders of a coaching authorization, contained in

1 282 IAC ch. 22. Board staff can assist Mr. Putzier in locating an online provider to  
2 verify CPR content knowledge.

3  
4 Tony Voss moved, with a second by Sara Yedlik, that in **PFW 18-01 Sara Skinner**, the  
5 Board grant the waiver. **MOTION CARRIED UNANIMOUSLY.**

6 Reasons for granting: Sara Skinner is requesting a waiver of the rule for the  
7 substitute authorization. See 282 IAC 22.2(272). Ms. Skinner holds a bachelor's  
8 degree from Northland International University, which has closed since her graduation  
9 and was not a regionally accredited institution. It was accredited by the Transnational  
10 Association of Christian Colleges and Schools. Ms. Skinner has successfully  
11 completed the substitute authorization course. She has experience working with  
12 students in multiple settings. Based on the limited authority granted by the  
13 substitute authorization and Ms. Skinner's significant experience working with  
14 children, the Board finds it would create an undue hardship if it were to deny Ms.  
15 Skinner's request to waive the requirement of a bachelor's degree from a regionally  
16 accredited institution. The Board has granted waivers in similar cases, including:

- 17 • 10-28: waiver for substitute authorization granted; petitioner attended  
18 Nebraska Christian College, accredited by Association of Biblical Higher  
19 Education.
- 20 • 11-01: waiver for substitute authorization granted; petitioner attended Zion  
21 Bible College, accredited by Association of Biblical Higher Education.
- 22 • 11-26: waiver for substitute authorization granted; petitioner attended  
23 Columbia Southern University, an accredited member of the Distance  
24 Education and Training Council.
- 25 • 12-03: waiver for substitute authorization granted; petitioner attended Barclay  
26 College, accredited by Association of Biblical Higher Education.

27 In light of this precedent, the Board found granting the waiver would not cause  
28 prejudice to the substantial legal rights of any person. The rule from which Ms.  
29 Skinner seeks a waiver is not specifically mandated by statute or any other provision  
30 of law, and, accordingly, may be waived by the Board. The substitute authorization  
31 carries limited authority, as the holder cannot serve for extended periods of time in  
32 one assignment. The Board finds that Ms. Skinner has presented clear and  
33 convincing evidence that waiving the rule in question to grant her this authorization

1 would not compromise public health, safety, or welfare. Based upon all of the above  
2 considerations, the Board concludes that the Petitioner, Sara Skinner, has met the  
3 criteria for granting of a waiver from the rules regarding the substitute authorization,  
4 contained in 282 IAC ch. 22.

5  
6 Reports/Approvals

7 The following reports were reviewed by the Board: Licensure Renewal Annual Report  
8 2017; Home Base Iowa Annual Report 2017; Annual Rules Report 2018; Annual Fees  
9 Report FY 2017.

10  
11 Darcy Hathaway provided an informational document, "Contract Provisions in State  
12 Ethics Codes." At a previous meeting, Anne Sullivan brought up Standard 5 in our  
13 ethics code related to contractual obligations. If the Board is considering any possible  
14 rules change within the ethics code, this is a preliminary document providing a bit of  
15 context for what other states do regarding contracts. Discussion will continue.

16  
17 Darcy Hathaway and Allison Schmidt provided the board information regarding typical  
18 sanctions. Board members had mentioned in the context of discussing potential  
19 settlement agreements or resolutions to ethics cases, that it would be helpful to have a  
20 list of common reference points and scenarios of past cases and the typical sanctions.

21  
22 There being no further business, Tony Voss moved, with a second by Katherine  
23 Schmidt, to adjourn the meeting at 2:10 p.m.